



Sen. Jacqueline Y. Collins

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09400HB3801sam002

LRB094 03494 RAS 46628 a

1 AMENDMENT TO HOUSE BILL 3801

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3801, AS AMENDED, by  
3 replacing everything after the enacting clause with the  
4 following:

5 "Section 1. Short title. This Act may be cited as the  
6 Medical School Applicant Criminal Background Check Act.

7 Section 5. Definitions. In this Act:

8 "Forcible felony" has the meaning given to that term in the  
9 Criminal Code of 1961.

10 "Matriculant" means an individual who is admitted as a  
11 student to a medical school located in Illinois.

12 "Sex offender" has the meaning given to that term in the  
13 Sex Offender Registration Act.

14 Section 10. Criminal background check for matriculants. A  
15 medical school located in Illinois may require a criminal  
16 background check for forcible felony convictions and any  
17 adjudication of a matriculant as a sex offender conducted by  
18 the Department of State Police and the Federal Bureau of  
19 Investigation as part of the medical school admissions  
20 application process. A medical school may forward the name,  
21 sex, race, date of birth, social security number, and  
22 fingerprints of each of its matriculants to the Department of  
23 State Police to be searched against the Illinois criminal

1 history records database and the Statewide Sex Offender  
2 Database in the form and manner prescribed by the Department of  
3 State Police. If the medical school so requires, each  
4 matriculant shall submit his or her fingerprints to the  
5 Department of State Police in the form and manner prescribed by  
6 the Department of State Police. These fingerprints shall be  
7 checked against the fingerprint records now and hereafter filed  
8 in the Department of State Police and Federal Bureau of  
9 Investigation criminal history records databases. The  
10 Department of State Police shall furnish, pursuant to positive  
11 identification, records of an applicant's forcible felony  
12 convictions and any record of an applicant's adjudication as a  
13 sex offender to the medical school that requested the criminal  
14 background check.

15 Section 15. Fees. The Department of State Police shall  
16 charge each requesting medical school a fee for conducting the  
17 criminal background check, which shall be deposited in the  
18 State Police Services Fund and shall not exceed the cost of the  
19 inquiry. Each requesting medical school is solely responsible  
20 for payment of this fee to the Department of State Police. Each  
21 medical school may impose its own fee upon a matriculant for  
22 admission to cover the cost of the criminal background check at  
23 the time the matriculant submits to the criminal background  
24 check.

25 Section 20. Admissions decision. The information collected  
26 as a result of the criminal background check may be considered  
27 by the requesting medical school in determining whether or not  
28 to admit the matriculant. A forcible felony conviction or an  
29 adjudication as a sex offender may preclude a matriculant from  
30 gaining admission to a medical school located in Illinois.

31 Section 25. Civil immunity. No medical school acting under

1 the provisions of this Act shall be civilly liable to any  
2 matriculant for any decision made pursuant to this Act.

3 Section 90. The Department of State Police Law of the Civil  
4 Administrative Code of Illinois is amended by adding Section  
5 2605-327 as follows:

6 (20 ILCS 2605/2605-327 new)

7 Sec. 2605-327. Conviction and sex offender information for  
8 medical school. Upon the request of a medical school under the  
9 Medical School Applicant Criminal Background Check Act, to  
10 ascertain whether a matriculant of the medical school has been  
11 convicted of any forcible felony or has been adjudicated a sex  
12 offender. The Department shall furnish this information to the  
13 medical school that requested the information.

14 The Department shall conduct a fingerprint-based criminal  
15 history records check of the Illinois criminal history records  
16 database and the Federal Bureau of Investigation criminal  
17 history records databases on matriculants who are required to  
18 submit their fingerprints. The Department may charge the  
19 requesting medical school a fee for conducting the  
20 fingerprint-based criminal history records check. The fee  
21 shall not exceed the cost of the inquiry and shall be deposited  
22 into the State Police Services Fund.

23 Section 99. Effective date. This Act takes effect upon  
24 becoming law."